



Kevin Woods <kevin.woods@comcast.net>

12:05 PM
(3 hours R
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to Thomas, Linda, David

Raymond Town Counsel has come back with the changes below to our proposed warrant articles

According to my notes from our meeting in November (attached) we had agreed that from our research that. "1. *There is no documentation to indicate that the following funds were ever established as Trust Funds. Therefore the Trustees will submit warrant articles to the voters to dissolve them and place the monies into the Cemetery Maintenance and Cemetery Expansion Funds as noted:*

My concern is that if this fund is not included in the Warrant article we will not be able to access it accordingly.

Tom, Can you please let us know what you think? Should this Cemetery Perpetual Care Fund be included in the Warrant article as we originally wrote?

The Trustees are meeting tomorrow morning to discuss this.
Thank you
Kevin Woods

Donovan, Thomas via comcastmailservice.net

12:27 PM
(3 hours R
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to Kevin, Linda, David

Kevin,

You are not giving much time to respond.

My recollection is that we concluded that the "Cemetery Perpetual Care funds" were not ever true perpetual care funds, but were a type of expendable trust fund. The town lawyer likely saw the term "perpetual care" and assumed they are true trust funds. So to avoid confusion, how about reinclude in Warrant Article 35 the Perpetual Care Fund entry, but then clarify it to the voters by adding some words to Warrant Article 35: "combined so-called Perpetual Care fund"

Is my recollection right about this, Linda? How does this sound?

Tom

Thomas J. Donovan
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Linda Wakefield via comcastmailservice.net

3:10 PM
(43 R
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ago) pl
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to Thomas, Kevin, David

Kevin and Tom,

Both of your summaries about our research and meeting are correct. We have no backup to support that the fund called Cemetery/Perpetual Care was ever actual perpetual care funds. Due to the lack of legal documentation it was decided that it would be best to create a warrant article to close out the fund and move the balance to the Cemetery Plots Fees Maintenance and Cemetery Plot Fees Expansion funds.

I am in agreement with Tom that town counsel may be interpreting the use of the term perpetual care in the title incorrectly.

Please let me know if counsel accepts your request to reinclude this fund to the warrant article.

Thanks,
Linda

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